

RESPONSE TO PUBLIC COMMENTS
For Mitigated Negative Declaration for Escondido, Tract # 892

TO: City of Escondido Planning Department, Jay Paul

FROM: Cal Republic Co, Patrick Miller

COPIES: RE, LLC , Ed Bonanni
Consultants Collaborative, Mike Jefferson
Foley & Lardner, Wayne Rosenbaum
Tory Walker Engineering, Tory Walker
Masson Engineering, Bo Sousa

DATE: April 18, 2008

RE: Rincon Oak Estates / Escondido, Tract # 892 / a 41 lot Residential Subdivision

NOTE: Attached: Twenty one (21) pages from respondent
Not attached: Approximately 200 pages of copies of documents previously submitted and archived. Available on request

Page I, Distribution Matrix from Rincon Escondido, LLC

► Hand written notes from staff. RE, LLC has requested that Foley & Lardner make contact with City of Escondido Engineering Dept. Homi Namdari to explain LID – Low Impact Development characteristics.

Page ii, City of Escondido letter to Patrick Miller

► It states that a phone call is needed from planning staff to respondent.

Page 2 / Issue 5

► The entire 20.57 acre site has been elevated only to the minimum grade (height) necessary to allow for a 100 year storm flow event. These same elevations and flood design parameters were set at roughly 7' 0" above native grade, which was determined in the mid 1980's and then built into the Parkwood subdivision to the west of Tract # 892

► The Tract # 892 site has been elevated to height necessary to allow for proper sewer line drainage from 765.00 (highest point) to existing point of connection for the City of Escondido sewer line invert elevation of 746.30 (lowest point) in Rincon Ave. The sewer line flow design in North Ave. starts at the north end and then flows south to point of connection. Sewer line flow design in the private streets starts at east end and flows west, and then south to point of connection.

▶ Sewer lines within the subdivision will be constructed with 8" and 10" PVC pipe are set at an adequate flow grade of $\pm 1.0\%$ $>2.0\%$, and without pump stations.

▶ All 41 houses in Tract # 892 will be built as one story structures with a maximum ridge line height of 22' 0". This will allow not only the Rincon Oak Estates houses to see over each other to NSEandW, but also the neighboring houses on all four sides of the project will retain their views of the mountains to the E. over the top of the existing tree line to the East.

▶ The house plan plotted for lot # 15 measures just 58' 0" from side to side, is a single story statement with a very low pitched roof, a short ridgeline, and is elongated to the street. This allows for easy viewing around the sides of the roof and over the top of the ridgeline for views to the east, north, and south from adjoining properties.

▶ RE, LLC has submitted some very careful view shed calculations to the city staff that depict the lines of sight over the top of various houses in the Rincon Oak Estates project. It is easily discernable that the ridgelines of the Rincon Oak Estates houses will not be a view cancelling protrusion above the tree line to the east and the vista of the mountain even farther to the east.

▶ The prior practice in times past of stating quantifiable financial measurements for views has long been discontinued in standard appraisal practices. This prior practice unfortunately gave rise to some very subjective opinions of value and over inflation for financing leverage at or prior to the time of actual sale. When in fact, the appraisal objectives in the industry have been clearly restated to objectively analyze the differences between the final closing prices of properties that are the same floor plan for numerous reasons including among other amenities a view or a vista beyond the backyard fence

▶ Outbound views of surrounding vistas are not owned exclusively by any particular property or properties, but are there to be enjoyed among all residents and homeowners owners in the immediate vicinity. The views and vistas for the Rincon Oak Estates residences and all of the neighbors on the four sides of the 41 lots will be shared and shared alike. RE, LLC is and will not be obligated to pay for un quantifiable view encroachments and will not seek any payments from others in return.

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▶ Rincon Oak Estates meets all zoning regulations as set forth in the city ordinances and staff review. Going from west to east there are smaller suburban houses on medium sized lots, then larger lots and houses in Rincon Oak Estates, and finally graduating up to ranch style houses on one acre lots to the east.

Page 4 / Issue 10 (restatement of same answers in Page 2 / Issue 5)

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Page 6 / Issue 15

- ▶ No gnatcatchers have ever been observed on-site at Tract # 892. My understanding is that protocol observations for this species are directed primarily at the San Luis Rey and Pilgrim Creek areas in Oceanside.

Page 7 / Issues 17, 18, 19, 20, 21

- ▶ RE,LLC and Tract # 892 are in conformance with all requirements and delineation maps as required by staff and produced by the trusted professional consultants for the project. The studies are lengthy, thorough, and complete and suffice it to say that RE, LLC has in no instances attempted to circumvent or alter studies to gain an unfair advantage or "cheat the numbers or alter published statements". It would be inordinately expensive, time consuming, and counterproductive to do so, much less be able to remember and track the aberrations. RE, LLC has followed the path of guidance from its consultants, and the project is in full conformance with its reports.

Page 8 / Issue 24

- ▶ The entire drainage system design and drawings all clearly state that the system is for a 100 year flood event. The calculations by the professional consultant benefit the drainage for Tract # 892 and downstream drainage characteristics. The original design for Tract # 892 was for a 75' 0" wide storm drain channel, the channel has been increased to 100' 0 " wide as an abundance of care.

..... **End**